

12

LUC-309/Akhterzzaman 37-34-21

Remarks

Entry of the above-noted amendments, reconsideration of the application, and allowance of all claims pending are respectfully requested. By this amendment, claims 1 and 14-17 are amended and claims 24-27 are added. These amendments to the claims constitute a bona fide attempt by applicants to advance prosecution of the application and obtain allowance of certain claims, and are in no way meant to acquiesce to the substance of the rejections. The specification has been amended. Support for the amendments can be found throughout the specification (e.g., page 3, lines 19-24 and page 8, lines 6-8), drawings (e.g., FIGS. 1-3), and claims and thus, no new matter has been added. Claims 1-27 are pending.

Claim Rejections - 35 U.S.C. §102:

Claims 1-23 are rejected under 35 U.S.C. §102(e) as being anticipated by Aburai et al. (U.S. Publication No. 0,090,953; "Aburai"). These rejections are respectfully, but most strenuously, traversed.

It is well-settled that there is no anticipation unless (1) all the same elements are (2) found in exactly the same situation and (3) are united in the same way to (4) perform the identical function. Since each of the applied references is missing at least one element of each of applicants' independent claims, applicants respectfully submit that the claimed invention is not anticipated by either of the applied references, as further discussed below.

Applicants respectfully submit that the applied references, with or without combination, assuming, *arguendo*, that the combination of the applied references is proper, do not teach or suggest one or more elements of the claimed invention, as further discussed below.

For explanatory purposes, applicants discuss herein one or more differences between the applied references and the claimed invention with reference to one or more parts of the applied references. This discussion, however, is in no way meant to acquiesce in any characterization that one or more parts of the applied references correspond to the claimed invention.

Applicants respectfully submit that the applied references do not teach or suggest one or more elements of the claimed invention. A careful reading of the applied references fails to teach or suggest, for example, preventing one or more outgoing calls from the communication device while the communication device is within one of the one or more designated geographical areas.

Aburai (Col. 8, lines 46-57) discloses preventing activation of an audible call indicator with a communication device while the communication device is within one or more designated geographical areas:

The mobile device proceeds to a step 802 to discriminate at the prohibited mode control unit 306 whether or not sounding of an incoming-call sound is prohibited in the current prohibited mode of the mobile communication device 104. When determining that the sounding of the incoming-call sound is prohibited, the mobile device proceeds to a step 803. In the step 803, the mobile device discriminates at the prohibited mode control unit 306 whether or not the prohibited mode control signal indicates "power off" or "automatic answering mode" wherein data on speech or communication is stored in the information control center or the like for later use.

Aburai discloses blocking an incoming call sound while in a prohibited mode. Simply missing from Aburai is any mention of preventing one or more outgoing calls from the communication device while the communication device is within one of the one or more designated geographical areas.

So, Aburai fails to satisfy at least one of applicants' claim limitations.

14

LUC-309/Akhterzzaman 37-34-21

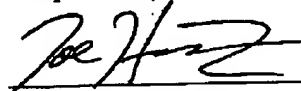
Furthermore, the Office Action does not allege that the art of record provides any teaching, suggestion, or incentive for modifying Aburai to provide the claimed configuration. Applicants respectfully submit that these documents fail to provide the express teaching, suggestion, or incentive, and the claimed invention is thus patentable over the art of record.

For all the above reasons, the independent claims presented herewith are believed neither anticipated nor obvious over the art of the record. The dependent claims are believed allowable for the same reasons as the independent claims, as well as for their own additional characterizations

Withdrawal of the §102 rejection is therefore respectfully requested.

In view of the above amendments and remarks, allowance of all claims pending is respectfully requested. If a telephone conference would be of assistance in advancing the prosecution of this application, the Examiner is invited to call applicants' attorney Robert J. Brill, Reg. No. 36,760, and applicants' undersigned agent.

Respectfully submitted,



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